

REMARKS

Claims 1-3, 5-10, 12-14 and 19-28 are pending. Claims 1, 12-14, 19 and 25 are currently amended. Claims 4, 11 and 15-18 are canceled. Claims 26-28 are new. No new matter has been introduced. A request for continued examination is filed concurrently herewith.

The substitute specification has been amended to include summaries of original claims 15-19 in the detailed description. No new matter has been introduced.

The Examiner rejected claims 1-13, 15-18 and 21-25 under 35 U.S.C. § 102(b) as anticipated by Goldman (WO 92/03869). The Examiner rejected claims 14 and 19 under 35 U.S.C. § 103(a) as obvious over Goldman (WO 92/03869) in view of Gupta (U.S. 5,349,535). The Examiner rejected claim 20 under 35 U.S.C. § 103(a) as obvious over Goldman in view of Okada (U.S. 5,960,898).

Independent claim 1, as amended, recites, “[an] apparatus for receiving and transporting electrical energy, comprising: a storage device formed from a plurality of storage elements; a vehicle configured to carry the storage device and having a connection for receiving electrical energy from an external source and for transmitting electrical energy from the storage device to an external load; and a monitoring device configured to monitor a number of charge/discharge cycles for each storage element and output a corresponding notification when a determined number of cycles is reached.” Presumably, the Examiner will rely on Gupta as allegedly teaching the monitoring device (see the Examiner’s rejection of claim 19), pointing to column 10, lines 10-19 and column 10, line 66 to Column 11, line 8 or possibly to column 11, line 66 to column 12, line 8 of Gupta. The cited portions generally discuss maintaining data and providing transaction, service and replacement notifications when a vehicle is coupled to a charging station. There is no discussion in Gupta of outputting a notification when a determined number of cycles is reached. The Examiner does not provide any explanation of why this missing feature would be obvious to one of skill in the art from the combination of references. Accordingly, claim 1 is not rendered obvious by Goldman, considered alone or in combination with Gupta and Okada. Claims 2, 3, 5-10, 12-14, 20-24 and new claim 28 depend from claim 1 and are allowable at least by virtue of their dependencies.

Independent claim 19, as amended, recites, “monitoring a number of charge/discharge cycles for each storage element of the storage device; and outputting a corresponding notification when a predetermined number of cycles is reached.” The Examiner relies on Gupta as allegedly teaching the recited monitoring and outputting, apparently pointing to column 10, lines 10-19 and column 10, line 66 to Column 11, line 8 or possibly to column 11, line 66 to column 12, line 8 of Gupta. The cited portions generally discuss maintaining data and providing transaction, service and replacement notifications when a vehicle is coupled to a charging station. There is no discussion in Gupta of outputting a notification when a determined number of cycles is reached. The Examiner does not provide any explanation of why this missing feature would be obvious to one of skill in the art from the combination of references. Accordingly, claim 19 is not rendered obvious by Goldman, considered alone or in combination with Gupta and Okada. New claims 26 and 27 depend from claim 19 and are allowable at least by virtue of their dependencies.

Independent claim 25, as amended, recites “[a] vehicle, comprising: means for storing electrical energy received from an external source at a first location, wherein the means for storing electrical energy is arranged as a payload for the vehicle; means for discharging the stored electrical energy at a second location; and means for monitoring a number of charge/discharge cycles for individual storage elements of the means for storing and outputting a corresponding notification when a determined number of cycles is reached.” Presumably, the Examiner will rely on Gupta as allegedly teaching the means for monitoring, pointing to column 10, lines 10-19 and column 10, line 66 to Column 11, line 8 or possibly to column 11, line 66 to column 12, line 8 of Gupta. The cited portions generally discuss maintaining data and providing transaction, service and replacement notifications when a vehicle is coupled to a charging station. There is no discussion in Gupta of outputting a notification when a determined number of cycles is reached. The Examiner does not provide any explanation of why this missing feature would be obvious to one of skill in the art from the combination of references. Accordingly, claim 25 is not rendered obvious by Goldman, considered alone or in combination with Gupta and Okada.

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Reply to Panel Decision dated July 9, 2010

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

All of the claims remaining in the application are now clearly allowable.  
Favorable consideration and a Notice of Allowance are earnestly solicited.

Respectfully submitted,  
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